

01-22-02

A

Please type a plus sign (+) inside this box → 

PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCEJC962 U.S. PTO  
01/15/02

# NEW UTILITY PATENT APPLICATION TRANSMITTAL

*(only for new nonprovisional applications under  
37 CFR 1.53(b))*

Attorney Docket Number	80121-06551
First Named Inventor	Larry Voss
Title	Organ Stabilizer and Method
Express Mail Label No.	EL482471676US

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 3. <input checked="" type="checkbox"/> Specification      Total Pages <input type="text" value="22"/> <small>(preferred arrangement set forth below)</small> <input type="checkbox"/> Descriptive Title of the Invention <input type="checkbox"/> Cross Reference(s) to Related Case(s) <input type="checkbox"/> Statement Regarding Fed sponsored R & D <input type="checkbox"/> Background of the Invention <input type="checkbox"/> Brief Summary of the Invention <input type="checkbox"/> Brief Description of the Drawing(s) <input type="checkbox"/> Detailed Description <input type="checkbox"/> Claim or Claims <input type="checkbox"/> Abstract of the Disclosure	7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> Certified Copy of Priority Document(s) ( <i>if foreign priority is claimed</i> ) 9. <input type="checkbox"/> Power of Attorney or Authorization of Agent 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement  11. <input type="checkbox"/> Preliminary Amendment 12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s) 13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 14. <input checked="" type="checkbox"/> Return Postcard 15. <input type="checkbox"/> _____ 16. <input type="checkbox"/> _____ 17. <input type="checkbox"/> _____
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113)      Total Sheets <input type="text" value="3"/> 5. Oath or Declaration a. <input type="checkbox"/> New Declaration      Total Pages <input type="text"/> <input type="checkbox"/> Executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s)            named in the prior application, see 37 CFR            1.63(d)(2) and 1.33(b).</small>	
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	<b>ADDRESS TO:</b> Box Patent Application Commissioner for Patents Washington, D.C. 20231

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: 09/479,358

Prior application information: Examiner: Jeffrey A. Smith Group/Art Unit: 3732

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS



Customer Number and Bar Code Label

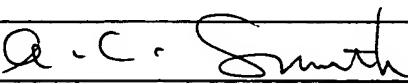
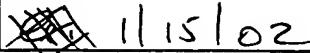
00758

Name (Print/Type)	Albert C. Smith	Registration No. (Attorney/Agent)	20,355
Signature	<u>A. C. Smith</u>	Date	1/15/02

80121/06551/DOCS/1237140.1

0002/PTO(modified) Rev. 10/2001	U.S. Department of Commerce Patent and Trademark Office	<i>Complete if Known</i>	
<b>FEE TRANSMITTAL</b>		Application Number	Unassigned
<b>TOTAL AMOUNT OF PAYMENT</b>		Filing Date	January 15, 2002
Subtotal (1) + Subtotal (2) + Subtotal (3) = <b>(\\$) 992.00</b>		First Named Inventor	Larry Voss
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Attorney Docket Number	80121-06551

<b>METHOD OF PAYMENT</b>		<b>FEES CALCULATION (continued)</b>																																																																																																																																																
<b>1. The Commissioner is hereby authorized to:</b> <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. † <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th><u>Large Entity</u> Fee Code/Fee</th> <th><u>Small Entity</u> Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> </thead> <tbody> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month†</td><td></td></tr> <tr><td>116/\$400</td><td>216/\$200</td><td>Extension for response within second month†</td><td></td></tr> <tr><td>117/\$920</td><td>217/\$460</td><td>Extension for response within third month†</td><td></td></tr> <tr><td>118/\$1,440</td><td>218/\$720</td><td>Extension for response within fourth month†</td><td></td></tr> <tr><td>128/\$1,960</td><td>228/\$980</td><td>Extension for response within fifth month†</td><td></td></tr> <tr><td>119/\$320</td><td>219/\$160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>141/\$1,280</td><td>241/\$640</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142/\$1,280</td><td>242/\$640</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr> <tr><td>143/\$460</td><td>243/\$230</td><td>Design Issue Fee</td><td></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>126/\$180</td><td>126/\$180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>179/\$740</td><td>279/\$370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146/\$740</td><td>246/\$370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149/\$740</td><td>249/\$370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="4">Other fee (specify):</td></tr> <tr><td colspan="4">Other fee (specify):</td></tr> <tr> <td colspan="2"><b>SUBTOTAL (1)</b> <b>(\\$) 740</b></td> <td colspan="3"><b>SUBTOTAL (3)</b> <b>(\\$) 0</b></td> </tr> <tr> <td colspan="2"> <b>2. CLAIMS</b>  <table border="1"> <thead> <tr> <th><u>Large Entity</u> Fee Code/Fee</th> <th><u>Small Entity</u> Fee Code/Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$84</td><td>202/\$42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$280</td><td>204/\$140</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$84</td><td>209/\$42</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> </td> <td colspan="3"> <table border="1"> <thead> <tr> <th rowspan="2">(Col. 1) For</th> <th rowspan="2">No. of Existing Claims minus*</th> <th rowspan="2">(Col. 2) Highest No. Previously Paid For minus*</th> <th rowspan="2">(Col. 3) Extra**</th> <th rowspan="2">Fee</th> <th rowspan="2">Fee Due</th> </tr> <tr> <th>=</th> <th>x</th> </tr> </thead> <tbody> <tr><td>TOTAL</td><td>19</td><td>20 or 0</td><td>0</td><td>x</td><td>0</td></tr> <tr><td>INDEP.</td><td>6</td><td>3 or 0</td><td>3</td><td>x</td><td>84</td></tr> </tbody> </table> <p>[ ] First presentation of multiple dependent claim</p> </td> </tr> <tr> <td colspan="2"></td> <td colspan="3" style="text-align: right;"><b>SUBTOTAL (2)</b> <b>(\\$) 252</b></td> </tr> <tr> <td colspan="2"></td> <td colspan="3" style="text-align: right;">** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3</td> </tr> </tbody> </table>			<u>Large Entity</u> Fee Code/Fee	<u>Small Entity</u> Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath		127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month†		116/\$400	216/\$200	Extension for response within second month†		117/\$920	217/\$460	Extension for response within third month†		118/\$1,440	218/\$720	Extension for response within fourth month†		128/\$1,960	228/\$980	Extension for response within fifth month†		119/\$320	219/\$160	Notice of Appeal		141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application		142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)		143/\$460	243/\$230	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		126/\$180	126/\$180	Submission of Information Disclosure Statement		179/\$740	279/\$370	Request for Continued Examination (RCE)		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				<b>SUBTOTAL (1)</b> <b>(\\$) 740</b>		<b>SUBTOTAL (3)</b> <b>(\\$) 0</b>			<b>2. CLAIMS</b> <table border="1"> <thead> <tr> <th><u>Large Entity</u> Fee Code/Fee</th> <th><u>Small Entity</u> Fee Code/Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$84</td><td>202/\$42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$280</td><td>204/\$140</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$84</td><td>209/\$42</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>		<u>Large Entity</u> Fee Code/Fee	<u>Small Entity</u> Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$84	202/\$42	Independent claims in excess of 3	104/\$280	204/\$140	Multiple dependent claim	109/\$84	209/\$42	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent	<table border="1"> <thead> <tr> <th rowspan="2">(Col. 1) For</th> <th rowspan="2">No. of Existing Claims minus*</th> <th rowspan="2">(Col. 2) Highest No. Previously Paid For minus*</th> <th rowspan="2">(Col. 3) Extra**</th> <th rowspan="2">Fee</th> <th rowspan="2">Fee Due</th> </tr> <tr> <th>=</th> <th>x</th> </tr> </thead> <tbody> <tr><td>TOTAL</td><td>19</td><td>20 or 0</td><td>0</td><td>x</td><td>0</td></tr> <tr><td>INDEP.</td><td>6</td><td>3 or 0</td><td>3</td><td>x</td><td>84</td></tr> </tbody> </table> <p>[ ] First presentation of multiple dependent claim</p>			(Col. 1) For	No. of Existing Claims minus*	(Col. 2) Highest No. Previously Paid For minus*	(Col. 3) Extra**	Fee	Fee Due	=	x	TOTAL	19	20 or 0	0	x	0	INDEP.	6	3 or 0	3	x	84			<b>SUBTOTAL (2)</b> <b>(\\$) 252</b>					** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3		
<u>Large Entity</u> Fee Code/Fee	<u>Small Entity</u> Fee Code/Fee	Fee Description	Fee Due																																																																																																																																															
105/\$130	205/\$65	Surcharge - late filing fee or oath																																																																																																																																																
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet																																																																																																																																																
147/\$2,520	147/\$2,520	For filing a request for reexamination																																																																																																																																																
115/\$110	215/\$55	Extension for response within first month†																																																																																																																																																
116/\$400	216/\$200	Extension for response within second month†																																																																																																																																																
117/\$920	217/\$460	Extension for response within third month†																																																																																																																																																
118/\$1,440	218/\$720	Extension for response within fourth month†																																																																																																																																																
128/\$1,960	228/\$980	Extension for response within fifth month†																																																																																																																																																
119/\$320	219/\$160	Notice of Appeal																																																																																																																																																
141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application																																																																																																																																																
142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)																																																																																																																																																
143/\$460	243/\$230	Design Issue Fee																																																																																																																																																
122/\$130	122/\$130	Petitions to the Commissioner																																																																																																																																																
126/\$180	126/\$180	Submission of Information Disclosure Statement																																																																																																																																																
179/\$740	279/\$370	Request for Continued Examination (RCE)																																																																																																																																																
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)																																																																																																																																																
146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																
149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																
Other fee (specify):																																																																																																																																																		
Other fee (specify):																																																																																																																																																		
<b>SUBTOTAL (1)</b> <b>(\\$) 740</b>		<b>SUBTOTAL (3)</b> <b>(\\$) 0</b>																																																																																																																																																
<b>2. CLAIMS</b> <table border="1"> <thead> <tr> <th><u>Large Entity</u> Fee Code/Fee</th> <th><u>Small Entity</u> Fee Code/Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$84</td><td>202/\$42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$280</td><td>204/\$140</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$84</td><td>209/\$42</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>		<u>Large Entity</u> Fee Code/Fee	<u>Small Entity</u> Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$84	202/\$42	Independent claims in excess of 3	104/\$280	204/\$140	Multiple dependent claim	109/\$84	209/\$42	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent	<table border="1"> <thead> <tr> <th rowspan="2">(Col. 1) For</th> <th rowspan="2">No. of Existing Claims minus*</th> <th rowspan="2">(Col. 2) Highest No. Previously Paid For minus*</th> <th rowspan="2">(Col. 3) Extra**</th> <th rowspan="2">Fee</th> <th rowspan="2">Fee Due</th> </tr> <tr> <th>=</th> <th>x</th> </tr> </thead> <tbody> <tr><td>TOTAL</td><td>19</td><td>20 or 0</td><td>0</td><td>x</td><td>0</td></tr> <tr><td>INDEP.</td><td>6</td><td>3 or 0</td><td>3</td><td>x</td><td>84</td></tr> </tbody> </table> <p>[ ] First presentation of multiple dependent claim</p>			(Col. 1) For	No. of Existing Claims minus*	(Col. 2) Highest No. Previously Paid For minus*	(Col. 3) Extra**	Fee	Fee Due	=	x	TOTAL	19	20 or 0	0	x	0	INDEP.	6	3 or 0	3	x	84																																																																																																								
<u>Large Entity</u> Fee Code/Fee	<u>Small Entity</u> Fee Code/Fee	Fee Description																																																																																																																																																
103/\$18	203/\$9	Claims in excess of 20																																																																																																																																																
102/\$84	202/\$42	Independent claims in excess of 3																																																																																																																																																
104/\$280	204/\$140	Multiple dependent claim																																																																																																																																																
109/\$84	209/\$42	Reissue independent claims over original patent																																																																																																																																																
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent																																																																																																																																																
(Col. 1) For	No. of Existing Claims minus*	(Col. 2) Highest No. Previously Paid For minus*	(Col. 3) Extra**	Fee	Fee Due																																																																																																																																													
						=	x																																																																																																																																											
TOTAL	19	20 or 0	0	x	0																																																																																																																																													
INDEP.	6	3 or 0	3	x	84																																																																																																																																													
		<b>SUBTOTAL (2)</b> <b>(\\$) 252</b>																																																																																																																																																
		** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3																																																																																																																																																

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Albert C. Smith	Reg. Number	20,355
Signature			Date 

80121-06551/DOCS/1237088.1

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Larry Voss

Title

ORGAN STABILIZER AND METHOD

Atty Docket Number

80121-06551

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/15/02

Date

Albert C. Smith

Signature

Albert C. Smith, Reg. No. 20,355

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.